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PATENT TRADEMARK OFFICE

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

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(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

*(check one applicable item below)*

- ☒ original.  
☐ design.

**NOTE:** *With the exception of a supplemental oath or declaration submitted in a reissue, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.E.P. Section 714.16, 7<sup>th</sup> Ed.*

- ☐ supplemental.

**NOTE:** *If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.*

- ☐ national stage of PCT.

**NOTE:** *If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.*

**NOTE:** *See 37 C.F.R. Section 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.*

- ☐ divisional.  
☐ continuation.

**NOTE:** *Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. Section 1.53(b) (application filing requirements-nonprovisional application).*

- ☐ continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

**WARNING:** *If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

PROCESSING METHOD FOR PATTERNING THE SURFACE OF AN OPTICAL ELEMENT

**SPECIFICATION IDENTIFICATION**

The specification of which:

(complete (a), (b), or (c))

(a) ☒ is attached hereto.

**NOTE:** *"The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:*

*"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;*

*"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or*

*"(3) name of inventor(s), and title which was on the specification as filed."*

*Notice of July 13, 1995 (1177 O.G. 60).*

(b) ☐ was filed on \_\_\_\_\_, ☐ as Application No. \_\_\_\_\_  
☐ and was amended on \_\_\_\_\_ (if applicable).

**NOTE:** *Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. Section 1.67.*

**NOTE:** *"The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:*

*(A) application number (consisting of the series code and the serial number, e.g., 08/123,456);*

*(B) serial number and filing date;*

*(C) attorney docket number which was on the specification as filed;*

*(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or*

*(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.*

*M.P.E.P. ' 601.01(a), 7th ed.*

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
 filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_  
 \_\_\_\_\_(if any).

### **SUPPLEMENTAL DECLARATION (37 C.F.R. Section 1.67(b))**

*(complete the following where a supplemental declaration is being submitted)*

☐ I hereby declare that the subject matter of the

☐ attached amendment

☐ amendment filed on \_\_\_\_\_.

was part of my/our invention and was invented before the filing date of the original application,  
 above identified, for such invention.

### **ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified  
 specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in  
 37, Code of Federal Regulations, Section 1.56,

*(also check the following items, if desired)*

☒ and which is material to the examination of this application, namely, information  
 where there is a substantial likelihood that a reasonable Examiner would consider it  
 important in deciding whether to allow the application to issue as a patent, and

☐ in compliance with this duty, there is attached an information disclosure  
 statement, in accordance with 37 C.F.R. Section 1.98.

### **PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))**

**NOTE:** 37 C.F.R. §1.55 Claim for foreign priority.

*"(a) An applicant in a nonprovisional application may claim the benefit of the filing date of one or more  
 prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and  
 365(a) and (b).*

*(1)(i) In an original application filed under 35 U.S.C. 111(a), the claim for priority must be  
 presented during the pendency of the application, and within the later of four months from the  
 actual filing date of the application or sixteen months from the filing date of the prior foreign  
 application. This time period is not extendable. The claim must identify the foreign application  
 for which priority is claimed, as well as any foreign application for the same subject matter and  
 having a filing date before that of the application for which priority is claimed, by specifying the  
 application number, country (or intellectual property authority), day, month, and year of its  
 filing. The time period in this paragraph does not apply to an application for a design patent.*

*(ii) In an application that entered the national stage from an international application  
 after compliance with 35 U.S.C. 371, the claim for priority must be made during the  
 pendency of the application and within the time limits set forth in the PCT and the  
 Regulations under the PCT."*

(2) The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) or PCT Rule 17 must, in any event, be filed before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by the processing fee set forth in § 1.17(i), but the patent will not include the priority claim unless corrected by a certificate of correction under 35 U.S.C. 255 and § 1.323.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.  
 (e) ☒ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
 (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
 AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
Taiwan, R.O.C.	91134116	22/11/2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
 (35 U.S.C. Section 119(e))**

NOTE: 35 U.S.C. 119(e)(1) requires that a nonprovisional application be filed within twelve months of the filing date of the provisional application for the nonprovisional application to claim the benefit of the filing date of the provisional application. Under 35 U.S.C. 21(b) and 119(e)(3), if this twelve-month period expires on a non-business day, it is extended to expire on the next business day.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

/ \_\_\_\_\_  
/ \_\_\_\_\_  
/ \_\_\_\_\_

**FILING DATE**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. SECTION 120**

- [ ] The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

*NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. Section 120.*

SEND CORRESPONDENCE TO

**Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023**

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

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*(complete the following if applicable)*

Since this filing is a [ ] continuation [ ] divisional there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

**NOTE:** Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other document.

**NOTE:** Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 C.F.R. Section 1.63(a)(3).

**NOTE:** Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997,

**Full name of sole or first inventor**

Pang-Lun (Given Name)      (Middle Initial or Name)      YANG Family (Or Last Name)  
 Inventor's signature (X) Herm Huang for Pang-Lun Yang  
 Date (X) 11/12/03 Country of Citizenship Taiwan, R.O.C.  
 Residence 3F-2, No.2, Lane 71, Szu Wei Road, Wu Chi Chen, Taichung Hsien, Taiwan, R.O.C.  
 Post Office Address THE SAME AS RESIDENCE ADDRESS

**Full name of second joint inventor, if any**

(Given Name)      (Middle Initial or Name)      Family (Or Last Name)  
 Inventor's signature \_\_\_\_\_  
 Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Post Office Address \_\_\_\_\_

**Full name of third joint inventor, if any**

(Given Name)      (Middle Initial or Name)      Family (Or Last Name)  
 Inventor's signature \_\_\_\_\_  
 Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_  
 Residence \_\_\_\_\_  
 Post Office Address \_\_\_\_\_

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

☐ **Signature** for fourth and subsequent joint inventors. *Number of pages added* \_\_\_\_\_

\* \* \*

☐ **Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* \_\_\_\_\_

\* \* \*

☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. Section 1.47. *Number of pages added* \_\_\_\_\_

\* \* \*

☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 C.F.R. Section 1.47)

\* \* \*

☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added \_\_\_\_\_

\* \* \*

☐ Authorization of practitioner(s) to accept and follow instructions from representative.

(If no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

☒ This declaration ends with this page.

**ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR SIGNATURE BY PERSON WITH SUFFICIENT PROPRIETARY INTEREST ON  
BEHALF OF NONSIGNING INVENTOR(S) WHO REFUSE(S) TO SIGN OR CANNOT  
BE REACHED (37 CFR 1.47(b))**

I, Hermit HUANG,

*(type or print name of person (entity) with sufficient proprietary interest or authorized to act on behalf of such person (entity))*

hereby declare that:

I. I am a citizen of Taiwan, R.O.C.,

Residing at 157 Shan-Ying Road, Gueishan, Taoyuan 333, Taiwan, R.O.C.

II. I

☐ am a person with sufficient proprietary interest.

☒ am authorized by the following person or juristic entity with sufficient proprietary interest,

*(complete the following information, if applicable):*

Benq Corporation

Name of assignee or entity having sufficient proprietary interest

157 Shan-Ying Road, Gueishan, Taoyuan 333, Taiwan, R.O.C.

Address of assignee or entity having sufficient proprietary interest

Vice President & General Manager

Title of person executing this declaration and authorized to sign on behalf of assignee or entity having sufficient proprietary interest

III. By virtue of this proprietary interest, I sign this declaration on behalf of, and as agent for:

Full name of (first, second, etc.) Pang-Lun YANG

nonsigning inventor

who

☐ refuses to sign.

☒ cannot be found or reached.

*NOTE: The name of the nonsigning inventor(s) should preferably also be inserted at the appropriate prior space in the declaration, adding the words "nonsigning inventor-completed on added page."*



Taiwan, R.O.C.

Country of Citizenship of nonsigning inventor

3F-2, No.2, Lane 71, Szu Wei Road, Wu Chi Chen, Taichung Hsien, Taiwan, R.O.C.

Last known address of nonsigning inventor

*NOTE: Ordinarily, the last known address will be the last known residence of the nonsigning inventor(s). Other addresses at which the nonsigning inventor(s) may be reached should also be given (and these can best be given in the Statement of Facts in Support of Filing on Behalf of Nonsigning Inventor). MPEP §409.03(e)*

IV. Upon information and belief, I aver those facts that the inventor is required to state. 37 CFR 1.64(b).

V. Accompanying this declaration is:

(1) A STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF ON NONSIGNING INVENTOR,

(2) A STATEMENT ESTABLISHING PROPRIETARY INTEREST BY PERSON SIGNING ON BEHALF OF NONSIGNING INVENTOR,

to establish the proof of pertinent facts, and to show that such action is necessary to preserve the rights of the parties or to prevent irreparable damage, and

*NOTE: Proof that such action is necessary to preserve the right of the parties or prevent irreparable damage may be made in either one of the above declarations by person having first-hand knowledge.*

(3) THE PETITION FEE OF \$ 130.00 (37 C.F.R. 1.17(i)).

Date: ☒ (X)

✓ 11/12/03

☒ (X)

✓ Herman Huan g  
Signature of person with sufficient proprietary interest  
of authorized to act on behalf of such person or entity

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pang-Lun YANG

Application No.:

Group No.:

Filed:

Examiner:

For: PROCESSING METHOD FOR PATTERNING THE SURFACE OF AN OPTICAL ELEMENT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

STATEMENT OF ACCURACY OF A TRANSLATION  
(37 C.F.R. SECTIONS 1.52(d), 1.55(a), 1.69)

I, the below named translator, hereby state that:

My name and post office address are as stated below;

That I am knowledgeable in English language and in the language of the

☒ attached document☐ below identified document

and I believe the attached English translation to be a true and complete translation of this document.

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8 (a))

I hereby certify that this correspondence is, on the date shown below, being:

## MAILING

☒ deposited with the United State Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450

## FACSIMILE

☐ transmitted by facsimile to this Patent and Trademark Office\_\_\_\_\_  
signature\_\_\_\_\_  
William R. Bvans

Date: \_\_\_\_\_

*(identify attached or previously filed document)*

**The document for which the attached English translation is being submitted is**

Assignment

*(check and complete, if applicable)*

☐ This foreign language document was filed in the PTO on \_\_\_\_\_.

Date: November 12, 2003

Full name of translation Maria TU

Signature of the translator (X) Maria Tu

Post Office Address 9F, No.53, Sec. 2, Nan-King E. Road, Taipei 104, Taiwan, R.O.C.

**PATENT ASSIGNMENT**

I/We, the undersigned, Pang-Lun YANG  
(inventor(s))

Residing at 3F-2, No.2, Lane 71, Szu Wei Road, Wu Chi Chen, Taichung Hsien, Taiwan, R.O.C.  
(Address of inventor(s))

is/are the true inventor(s) of the invention entitled:

PROCESSING METHOD FOR PATTERNING THE SURFACE OF AN OPTICAL ELEMENT  
(Title of invention or design)

do hereby declare that I/We have assigned the entire right, title and interest in, as far as the Republic of China is concerned, the said invention to Benq Corporation  
(Name of Corporation)

a corporation organized under the law having an office at

157 Shan-Ying Road, Gueishan, Taoyuan 333, Taiwan, R.O.C.  
(Address of the corporation)

This 5<sup>TH</sup> day of November, 2002

Inventor(s):

(Pang-Lun YANG) signed & sealed in Chinese

※ This form doesn't require legalization.

專利宣誓書及申請權證明書

茲謹宣書：本案申請專利之「在光學元件表面形成圖案之加工方法」確係發明（創作）人所發明（創作），倘有冒充、抄襲、模仿、影射或其他不實情形，願受法律之懲罰。

發明（創作）人已將本案之發明（創作）專利申請權讓由「明基電通股份有限公司」申請專利。  
此 證

發明（創作）人：楊邦倫

楊邦倫  


住

址：台中縣梧棲鎮四維路71巷2號3樓之2

中 華 民 國 九 十 一 年 十 一 月 五 日